



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

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Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

[REVISED 12.10.19]

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? TWO List them here: Certificates No. 8861 and 85690**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- Application fee not enclosed/insufficient Map not included or incomplete
- Land Use Form not enclosed or incomplete
- Additional signature(s) required Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

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Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

[REVISED 12.10.19]

Part 4 of 5 – Applicant Information and Signature

Applicant Information (Revised 11.21.19)

APPLICANT NAME Gregg and Wilma Hyde		PHONE NO. 541-846-6469	ADDITIONAL CONTACT NO.
ADDRESS 501 Panther Gulch Road		FAX NO.	
CITY Williams	STATE Oregon	ZIP 97544	E-MAIL
<p>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</p>			

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Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL
<p>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</p>			

Explain in your own words what you propose to accomplish with this transfer application, and why:
Change the POD from "DAM" to POD1 and APOD in Spanish Ditch for C-8861 and C-85690. Transfer 2.0 ac. of C-85690 POU from NWSW to NWNW of Sec. 11. Diminish 13.2 ac. of C-5357 in SWNW of Sec 11 from primary to supplemental use by an affidavit of voluntary diminution. This will provide a more reliable source of water and a more efficient use of the water because approximately 1.1 miles of East Side Ditch will no longer need to be maintained. Additionally, the owners of TL202 at POD "DAM" will no longer need to be disturbed for dam and ditch maintenance.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)



Check One Box By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **Grants Pass Daily Courier**.

I (we) affirm that the information contained in this application is true and accurate.



 Applicant Signature	Gregg Hyde, Owner Print Name (and Title if applicable)	<u>12-17-19</u> Date
 Applicant Signature	Wilma Hyde, Owner Print Name (and Title if applicable)	<u>12/17/19</u> Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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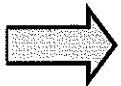
Describe any special ownership circumstances here: **None**

- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Josephine County Community Development	ADDRESS 700 NW Dimmick Street, Suite C	
CITY Grants Pass	STATE Oregon	ZIP 97526

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE NO. 8861

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Description of Water Delivery System

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System capacity: 0.18 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

A dam in the East Fork of Williams Creek diverts water into the East Side Ditch. Lateral ditches and Fiddler's Gulch are then used to flood irrigate the 14 acres of authorized land.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)

(Note: If the POD name is not specified on the certificate, assign it a name or number here.)

POD Name or Number	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot	Measured Distances (from a recognized survey corner)
DAM	<input checked="" type="checkbox"/> Authorized	NA	39 S	5 W	14	SE NW	202	1930'E and 320'N of the W1/4 Corner of Section 14
POD 1	<input checked="" type="checkbox"/> Proposed	NA	39 S	5 W	11	NW SW	702	840'E and 20'S of the W1/4 Corner of Section 11
APOD	<input checked="" type="checkbox"/> Proposed	NA	39 S	5 W	11	NW SW	702	970'E and 190'S of the W1/4 Corner of Section 11

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

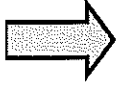
Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution:

(ground water supplemental irrigation will be substituted for surface water primary irrigation)

NA

For a change from Supplemental Irrigation Use to Primary Irrigation Use:

NA

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

NA

Construction of Point(s) of Appropriation:

NA

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Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE NO. 85690

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Description of Water Delivery System

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System capacity: **0.44** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

A dam in the East Fork of Williams Creek diverts water into the East Side Ditch. Lateral ditches are then used to flood irrigate the 35 acres of authorized land. An auxiliary pump site located on the Spanish Ditch pond is used irrigate a portion of the POU in the NWNW of Section 11.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)

(Note: If the POD name is not specified on the certificate, assign it a name or number here.)

POD Name	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot	Measured Distances (from a recognized survey corner)
DAM	<input checked="" type="checkbox"/> Authorized	NA	39 S	5 W	14	SE NW	202	1930'E and 320'N of the W1/4 Corner of Section 14
POD 1	<input checked="" type="checkbox"/> Proposed	NA	39 S	5 W	11	NW SW	702	840'E and 20'S of the W1/4 Corner of Section 11
APOD	<input checked="" type="checkbox"/> Proposed	NA	39 S	5 W	11	NW SW	702	970'E and 190'S of the W1/4 Corner of Section 11
SPANISH	<input checked="" type="checkbox"/> Proposed	NA	39 S	5 W	11	NW SW	702	920'E and 490'S of the W1/4 Corner of Section 11

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate No. 85690

[REVISED 12.10.19]

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)														
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it will appear AFTER PROPOSED CHANGES														
List only that part or portion of the water right that will be changed.										are made.														
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Type of USE listed on Certificate	POD Name from Table 1	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	New Type of USE	POD to be used from Table 1	Priority Date						
39	S	5	W 11	NW	NW	300	NA	8.0	Irrigation	DAM	Aug. 3 1915	POD	39	S	5	W 11	NW	NW	300	NA	8.0	Irrigation	POD 1	Aug. 3 1915
39	S	5	W 11	SW	NW	300	NA	17.0	Irrigation	DAM	Aug. 3 1915	POD	39	S	5	W 11	SW	NW	300	NA	17.0	Irrigation	POD 1	Aug. 3 1915
39	S	5	W 11	NW	SW	702	NA	10.0	Irrigation	DAM	Aug. 3 1915	POD	39	S	5	W 11	NW	SW	702	NA	8.0	Irrigation	APOD	Aug. 3 1915
									POD/POU				39	S	5	W 11	NW	NW	300	NA	2.0	Irrigation	SPANISH	Aug. 3 1915
TOTAL ACRES: 35										TOTAL ACRES: 35														

Additional remarks:

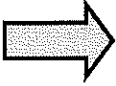
2.0 acres of the POU approved per C-85690 will be transferred from the NWSW to the NWNW of Sec. 11 by this Transfer Application. East Side Ditch will no longer be used to convey water to the authorized 35 acres. POD 1 will be used to irrigate the 17 acres located in the SWNW. APOD will irrigate the 8.0 acres remaining in the NWSW after this transfer. APOD is proposed to be placed within the concrete fish diversion structure in Spanish Ditch (aka Boswick Ditch) located approximately 300 feet downstream of POD "Spanish." POD "Spanish" will continue to convey water to the POU of 14.39 acres located in the SWNW and the 25.93 acres located in the NWNW of Sec. 11 for C-16330 (not part of this transfer). POD "Spanish" will also continue to convey water to the authorized POU of 8.0 acres located in the NWNW and to the 2.0 acres being transferred to the NWNW per C-85690 via Spanish Ditch and a rectangular flume which crosses over East Fork Williams Creek. Joan Smith provided assistance in filling out this form on November 30, 2017.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: C-5357.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution:

(ground water supplemental irrigation will be substituted for surface water primary irrigation)

NA

For a change from Supplemental Irrigation Use to Primary Irrigation Use:

NA

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

NA

Construction of Point(s) of Appropriation:

NA

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